

THURSDAY, MARCH 27, 2014

FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Stephen Sutton, Maury City Church of Christ, Maury City, TN.

Representative Fitzhugh led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 93

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Sanderson; business

PRESENT IN CHAMBER

Rep(s). Doss and J. Carr was/were recorded as being present in the Chamber.

**COMMUNICATION
March 27, 2014**

Rep. Kevin Brooks
103 War Memorial Building
Nashville, TN 37243

THURSDAY, MARCH 27, 2014 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Re: South Regional Education Board

Dear Rep. Brooks:

SREB's 63rd Annual Legislative Work Conference will be held this year from Saturday afternoon, June 21, through lunch on Monday, June 23, 2014, at the Seelbach Hotel in Louisville, Kentucky. This conference has been called "America's best education work session for legislators."

Legislative leaders will participate in sessions on topics that are on many 2014 legislative agendas:

Educator Effectiveness and Evaluation
College and Career Readiness
Workforce and Career/Technical Education
The Role of Community Colleges in Postsecondary Completion

As Speaker of the House, I am requesting you to represent our state as a delegate to the 63rd Annual SREB Legislative Work Conference. I am confident that you will continue to represent Tennessee with the high standard of professionalism, dedication and integrity that the citizens deserve and expect of their public servants.

Best Wishes,

/s/ Beth Harwell

cc: David Spence, President – SERB
Lt. Gov. Ron Ramsey
Cody York, 8th Floor, Snodgrass Tower
Brian McCormack, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barnes
Tammy Letzler

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 193 Rep(s). Evans and Shepard as prime sponsor(s).

House Joint Resolution No. 551 Rep(s). G. Johnson as prime sponsor(s).

House Bill No. 1179 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1367 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 1375 Rep(s). Dunn, Keisiling, Lundberg, Dean, Travis, Alexander, K. Brooks, Sparks, Dennis and Floyd as prime sponsor(s).

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House Bill No. 1441 Rep(s). Ragan and Hardaway as prime sponsor(s).

House Bill No. 1569 Rep(s). Casada as prime sponsor(s).

House Bill No. 1578 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1658 Rep(s). Lamberth as prime sponsor(s).

House Bill No. 1669 Rep(s). Calfee as prime sponsor(s).

House Bill No. 1721 Rep(s). Favors as prime sponsor(s).

House Bill No. 1776 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 1869 Rep(s). Ragan, Goins and Powers as prime sponsor(s).

House Bill No. 1894 Rep(s). Hardaway and Wirgau as prime sponsor(s).

House Bill No. 1939 Rep(s). Ragan, Weaver and Moody as prime sponsor(s).

House Bill No. 1940 Rep(s). Ragan, Lollar, D. White, Hardaway, Holt, Halford and Butt as prime sponsor(s).

House Bill No. 1989 Rep(s). M. White, H. Brooks as prime sponsor(s).

House Bill No. 2059 Rep(s). Durham as prime sponsor(s).

House Bill No. 2173 Rep(s). Dean as prime sponsor(s).

House Bill No. 2188 Rep(s). Gilmore and Akbari as prime sponsor(s).

House Bill No. 2255 Rep(s). Ragan as prime sponsor(s).

House Bill No. 2260 Rep(s). Womick as prime sponsor(s).

House Bill No. 2264 Rep(s). Hardaway and Dennis as prime sponsor(s).

House Bill No. 2294 Rep(s). Hardaway, D. Carr, Todd, Butt, Lollar and Camper as prime sponsor(s).

House Bill No. 2303 Rep(s). Eldridge as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Alexander was/were removed as sponsor(s) of **House Bill No. 1161**.

On motion, Rep(s). M. Hill was/were removed as sponsor(s) of **House Bill No. 1769**.

On motion, Rep(s). Hall was/were removed as sponsor(s) of **House Bill No. 2260**.

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On motion, Rep(s). Pitts was/were removed as sponsor(s) of **House Bill No. 2290**.

On motion, Rep(s). Haynes was/were removed as sponsor(s) of **House Bill No. 2303**.

**MESSAGE FROM THE SENATE
March 25, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 766, 1473, 1579, 1641, 1922, 2245 and 2251; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 25, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 455, 1582, 1585, 1604, 1605, 1607, 1620, 1622, 1624, 1625 and 1632; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 25, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 766, 1473, 1579, 1641, 1922, 2245 and 2251.

JOE McCORD, Chief Clerk

**ENGROSSED BILLS
March 25, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 203, 477, 1433, 1456, 1643, 1772, 1895, 2072, 2083, 2183, 2314, 2387, 2442, 2477, 2479, 2483, 2504, 2507 and 2511.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
March 26, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 188, 189, 192 and 194; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
March 26, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 188, 189, 192 and 194.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
March 26, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1547, 1575, 1589, 1642, 1740, 1957, 1968 and 2405; also House Joint Resolution(s) No(s). 762, 766, 767, 768, 769, 770, 771, 772, 774, 775, 777, 778, 779, 780 and 789; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
March 26, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 762, 766, 767, 768, 769, 770, 771, 772, 774, 775, 777, 778, 779, 780 and 789.

GREG GLASS, Interim Chief Engrossing Clerk

**ENGROSSED BILLS
March 26, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 840 and 841.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 26, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 762, 766, 767, 768, 769, 770, 771, 772, 774, 775, 777, 778, 779, 780 and 789; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 26, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 455, 1582, 1585, 1604, 1605, 1607, 1620, 1622, 1624, 1625 and 1632; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 26, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 762, 766, 767, 768, 769, 770, 771, 772, 774, 775, 777, 778, 779, 780 and 789; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
March 26, 2014**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 762, 766, 767, 768, 769, 770, 771, 772, 774, 775, 777, 778, 779, 780 and 789; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE SENATE
March 26, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 649, 653, 654, 655, 656, 657, 658, 661, 700 and 701; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 26, 2014**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 649, 653, 654, 655, 656, 657, 658, 661, 700 and 701.

JOE McCORD, Chief Clerk

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Odom was recognized in the Well to recognize the 2014 Senior Class, Vanderbilt University Football Team.

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RESOLUTION READ

The Clerk read House Joint Resolution No. 784, adopted March 13, 2014, recognizing the achievements of the Vanderbilt University Football Team Senior Class of 2014.

House Joint Resolution No. 784 -- Memorials, Sports - 2014 Senior Class, Vanderbilt University Football Team. by *Odom.

RULES SUSPENDED

Rep. Camper moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 850 out of order which motion prevailed.

House Joint Resolution No. 850 -- Memorials, Recognition - World Mission Society Church of God in Memphis. by *Camper.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Camper, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 31, 2014:

House Resolution No. 195 -- Memorials, Personal Achievement - Olivia Crudup, Mix 92.9 Singing Star. by *Lamberth.

House Resolution No. 196 -- Memorials, Recognition - Dr. Gregory B. Liggins. by *Cooper.

House Resolution No. 197 -- Memorials, Recognition - Dr. Michael Nettles. by *Cooper.

House Resolution No. 199 -- Memorials, Recognition - Women's History Month, March 2014. by *Gilmore, *Miller.

House Resolution No. 200 -- Memorials, Death - Johnny MacRae. by *Littleton.

House Resolution No. 201 -- Memorials, Recognition - Douglas Ivy. by *Cooper.

House Joint Resolution No. 848 -- Memorials, Professional Achievement - Cindy Rule, Regional Secondary Teacher of the Year. by *Carr D, *Farmer.

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House Joint Resolution No. 849 -- Memorials, Professional Achievement - Heather Burkhart, Regional Middle Grades Teacher of the Year. by *Carr D, *Farmer.

House Joint Resolution No. 851 -- Memorials, Retirement - Reverend George E. Wyatt. by *Johnson C, *Tidwell.

House Joint Resolution No. 852 -- Memorials, Recognition - Commemorates Lupus Awareness Month. by *Sargent.

House Joint Resolution No. 853 -- Memorials, Professional Achievement - Debra Leake Ward, 2014 Lauderdale County Teacher of the Year. by *Fitzhugh.

House Joint Resolution No. 854 -- Memorials, Recognition - Caley Williamson, participant, 2014 Albert H. Small Normandy: Sacrifice for Freedom Student and Teacher Institute. by *Faison.

House Joint Resolution No. 855 -- Memorials, Death - Carol Rebecca Hood. by *Faison.

House Joint Resolution No. 856 -- Memorials, Retirement - Connie Ball. by *Faison.

House Joint Resolution No. 857 -- Memorials, Sports - East Nashville Magnet School boys' basketball team, Class AA Runner Up. by *Turner M, *Hardaway.

House Joint Resolution No. 858 -- Memorials, Recognition - Commemorates National Healthy Schools Day. by *Gilmore.

House Joint Resolution No. 859 -- Memorials, Retirement - Rev. Martin C. Singley, III. by *Matlock.

House Joint Resolution No. 860 -- Memorials, Retirement - Nancy Smith Roland. by *Shepard, *Evans.

House Joint Resolution No. 861 -- Memorials, Personal Occasion - Judge Kenneth Porter, 80th birthday. by *Faison.

House Joint Resolution No. 862 -- Memorials, Professional Achievement - Richard Kelley, Cotton Ginner of the Year. by *Moody.

House Joint Resolution No. 863 -- Memorials, Retirement - Anita Feuring. by *Moody.

House Joint Resolution No. 864 -- Memorials, Recognition - Tierra Thaxton. by *McDaniel.

House Joint Resolution No. 865 -- Memorials, Professional Achievement - Dr. Andrea Fayeth Anthony, 2013-2014 NASSP Tennessee Principal of the Year. by *Casada.

House Joint Resolution No. 866 -- Memorials, Recognition - National Salvation Army Week, May 12-18, 2014. by *White M.

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House Joint Resolution No. 867 -- Memorials, Academic Achievement - Maggie Singleton, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 868 -- Memorials, Academic Achievement - Alyssa Nichole Hopkins, Salutatorian, Hancock County High School. by *Harrison.

House Joint Resolution No. 869 -- Memorials, Academic Achievement - Dakota Martin Stapleton, Valedictorian, Hancock County High School. by *Harrison.

House Joint Resolution No. 870 -- Memorials, Academic Achievement - Allison Laurel Franklin, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 871 -- Memorials, Academic Achievement - Taylor Seals, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 872 -- Memorials, Academic Achievement - Nicholas Davis, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 873 -- Memorials, Death - Fred Sandidge. by *Harrison.

House Joint Resolution No. 874 -- Memorials, Death - James Heiskell Rogan. by *Harrison.

House Joint Resolution No. 875 -- Memorials, Death - Edward C. "Duck" Hodges. by *Harrison.

House Joint Resolution No. 876 -- Memorials, Heroism - Church Hill Police Officer Daniel Byington. by *Harrison.

House Joint Resolution No. 877 -- Memorials, Heroism - Church Hill Police Officer Ethan Mays. by *Harrison.

House Joint Resolution No. 878 -- Memorials, Heroism - Church Hill Asst. Police Chief Roddy Miller. by *Harrison.

House Joint Resolution No. 879 -- Memorials, Heroism - Church Hill volunteer firefighter Luke Wood. by *Harrison.

House Joint Resolution No. 880 -- Memorials, Heroism - Sophia Toney. by *Harrison.

House Joint Resolution No. 881 -- Memorials, Recognition - Ennis Jefferson Hurdle, Jr. by *Rich.

House Joint Resolution No. 882 -- Memorials, Recognition - CreatiVets. by *Rich.

House Joint Resolution No. 883 -- Memorials, Recognition - The late Dr. Ann Campbell. by *White D.

House Joint Resolution No. 884 -- Memorials, Interns - James K. White. by *McCormick.

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House Joint Resolution No. 885 -- Memorials, Retirement - Roger Lewis. by *Pitts.

House Joint Resolution No. 886 -- Memorials, Recognition - Reverend Robert P. Harris, Jr. by *Pitts, *Johnson C, *Tidwell.

House Joint Resolution No. 887 -- Memorials, Death - Gordon E. Wright, Sr. by *Ramsey, *Swann, *Carr D.

House Joint Resolution No. 888 -- Memorials, Academic Achievement - Alex Britt, Valedictorian, Lebanon High School. by *Pody.

House Joint Resolution No. 889 -- Memorials, Academic Achievement - Katlin Eakes, Salutatorian, Lebanon High School. by *Pody.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 31, 2014:

Senate Joint Resolution No. 665 -- Memorials, Academic Achievement - Samantha Stone, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 666 -- Memorials, Academic Achievement - Jacob Baker, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 667 -- Memorials, Academic Achievement - Alexander Morgan Byrd, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 669 -- Memorials, Academic Achievement - James Kaleb Anderson, Salutatorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 670 -- Memorials, Academic Achievement - Sierra Cothron, Salutatorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 671 -- Memorials, Academic Achievement - Dana Lynn Morris, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 672 -- Memorials, Death - Donald Thomas "Duck" Wicks. by *Yager.

Senate Joint Resolution No. 674 -- Memorials, Personal Achievement - Nolan "Dude" Northcutt, 100th birthday. by *Beavers.

Senate Joint Resolution No. 675 -- Memorials, Academic Achievement - Jacqueline A. Pulliam, Salutatorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 676 -- Memorials, Sports - Elizabethton High School, Class AA girls basketball state champions. by *Crowe.

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Senate Joint Resolution No. 677 -- Memorials, Academic Achievement - Adam Neal, Valedictorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 678 -- Memorials, Professional Achievement - Bob's Body Shop, 55th Anniversary. by *Burks.

Senate Joint Resolution No. 679 -- Memorials, Death - Donald M. Elkins. by *Burks.

Senate Joint Resolution No. 680 -- Memorials, Death - Dr. Nat T. Winston, Jr. by *Dickerson, *Henry.

Senate Joint Resolution No. 681 -- Memorials, Retirement - Donald Neal Day. by *Haile.

Senate Joint Resolution No. 682 -- Memorials, Death - Warren Douglas Haun. by *McNally.

Senate Joint Resolution No. 708 -- Memorials, Academic Achievement - Phillip Michael Byrd, Valedictorian, Westmoreland High School. by *Haile.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2533 -- Orme - As introduced, subject to local approval, rewrites the town charter. - Amends Chapter 630 of the Private Acts of 1935; as amended. by *Alexander.

House Bill No. 2534 -- Wilson County - As introduced, authorizes the county to charge a one dollar fee in excess of the consideration charged to attend any event at the James E. Ward Agricultural Center; authorizes the county to charge a one dollar fee for parking at the James E. Ward Agricultural Center; requires the proceeds from both fees to be used exclusively to fund the construction and operation of the Expo Center. by *Pody.

House Bill No. 2535 -- New Johnsonville - As introduced, subject to local approval, rewrites the charter. - Amends Chapter 603 of the Private Acts of 1949; as amended. by *Tidwell.

House Bill No. 2536 -- Westmoreland - As introduced, subject to local approval, authorizes salaries of the mayor and aldermen to be set by ordinance rather than establishing specific salary amounts in the charter; requires mayor to attend and participate in all state, regional, county and municipal meetings designed to assist cities, to the extent reasonably possible. - Amends Chapter 306 of the Private Acts of 1951; as amended. by *Lamberth.

House Bill No. 2537 -- South Pittsburg - As introduced, subject to local approval, permits the text of every ordinance to be made available to the public in any medium, rather than solely in a newspaper of general circulation; changes the requirement that each ordinance be read and passed from three separate days to two separate days. - Amends Chapter 213 of the Private Acts of 1992; as amended. by *Spivey.

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House Bill No. 2538 -- Orme - As introduced, subject to local approval, rewrites the town charter. - Amends Chapter 630 of the Private Acts of 1935. by *Spivey.

House Bill No. 2539 -- Erin - As introduced, subject to local approval, removes authority of recorder, mayor or vice-mayor to also serve as city judge; removes authority of city to levy motor vehicle registration fees; creates staggered terms of office for the board of mayor and aldermen. - Amends Chapter 403 of the Private Acts of 1951; as amended. by *Tidwell.

House Bill No. 2540 -- Greenbrier - As introduced, subject to local approval, prohibits any elected official from being a paid employee or department head; decreases the mayor's salary from \$800 per month to \$400 per month; removes the mayor's benefit plan; and adds provisions to authorize the board of mayor and aldermen to remove a mayor or alderman in certain circumstances. - Amends Chapter 158 of the Private Acts of 2002; as amended. by *Evans.

House Bill No. 2541 -- Tipton County - As introduced, subject to local approval, removes the requirement that the tax assessor or deputy tax assessor stamp or make a physical notation on certain conveyances of real property. - Amends Chapter 46 of the Private Acts of 1969; as amended. by *Moody.

House Bill No. 2542 -- Portland - As introduced, subject to local approval, authorizes city council to prescribe by ordinance a dollar limit over which competitive bidding is required, absent a general state law exception. - Amends Chapter 568 of the Private Acts of 1939; as amended. by *Lamberth.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 877 -- Motor Vehicle Commission - As introduced, adds a non-franchise motor vehicle dealer as a member of the motor vehicle commission; increases quorum requirement by one person. - Amends TCA Title 55, Chapter 17, Part 1. by *Tracy. (*HB223 by *Sparks, *Goins, *Todd, *Johnson C, *Bailey, *Williams K, *Lollar, *Cooper, *Matheny, *Ramsey, *Akbari, *Holt, *Jernigan, *Forgety, *Coley, *Pitts, *Ragan, *Floyd, *Carr J, *Towns, *Durham, *Sexton, *Sanderson)

Senate Bill No. 997 -- Hospitals and Health Care Facilities - As introduced, extends time for attorney general and reporter to give notice in decisions concerning certain hospitals; revises reporting requirements by hospitals; stays certain tax enforcement measures involving not for profit taxpayers. - Amends TCA Title 48; Title 67 and Title 68. by *McNally. (*HB343 by *Harrison)

Senate Bill No. 1624 -- State Employees - As introduced, makes certain revisions to the T.E.A.M. Act; expands board of appeals to no more than 18 members rather than nine; clarifies burden of proof and standard of review during the appeals process; establishes when an order or settlement agreement becomes final. - Amends TCA Section 8-30-108 and Section 8-30-318. by *Norris, *Johnson. (*HB1420 by *McCormick, *Dunn)

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***Senate Bill No. 1669** -- Highway Signs - As introduced, defines "agreement" for purposes of the Billboard Regulation and Control Act of 1972. - Amends TCA Title 54, Chapter 21. by *Southerland. (HB1710 by *McCormick, *Dean)

Senate Bill No. 1770 -- Disabled Persons - As introduced, revises requirements concerning purchases of goods and services from persons with disabilities by state government. - Amends TCA Title 71, Chapter 4, Part 7. by *Bell. (*HB1569 by *Brooks K, *Hill T, *Shaw, *Casada)

Senate Bill No. 1884 -- Alcoholic Beverages - As introduced, allows manufacturing of intoxicating liquors in any county with at least three premier type tourist resort licensees in such county. - Amends TCA Title 57, Chapter 2, Part 1. by *Niceley. (*HB1755 by *Faison, *Sanderson)

Senate Bill No. 2002 -- Teachers, Principals and School Personnel - As introduced, defines dyslexia and requires in-service training for teachers and other training collaboration by the department of education with institutions of higher education concerning instruction related to dyslexia. - Amends TCA Title 49. by *Massey, *Burks, *Gardenhire, *Overbey, *Harper, *Yager. (*HB1735 by *Sexton, *Powers, *Butt, *DeBerry J, *Akbari, *Williams R)

Senate Bill No. 2029 -- Licenses - As introduced, reduces from sixty to forty-five days the period in which an ambulance service may renew its license, following the expiration date, by payment of the renewal fee and late penalty. - Amends TCA Title 68. by *Hensley. (*HB1807 by *Shipley)

***Senate Bill No. 2045** -- State Employees - As introduced, revises the provisions governing the Tennessee Excellence, Accountability and Management (TEAM) Act. - Amends TCA Title 8, Chapter 30, Part 3. by *Southerland, *Gardenhire, *Hensley, *Massey, *Niceley. (HB1940 by *Dunn, *Hawk, *Coley, *Keisling, *Kane, *Calfee, *Faison, *Harrison, *Carr D, *Ramsey, *Farmer, *Hill T, *Shaw, *Johnson G, *Windle, *Swann, *Hill M, *Stewart, *Jernigan, *Dennis, *Mitchell, *Eldridge, *Alexander, *Doss, *Pitts, *Matlock, *Fitzhugh, *Williams K, *Turner M, *Matheny, *Tidwell, *Cooper, *Odom, *Shepard, *Powell, *Turner J, *Gilmore, *Miller, *Armstrong, *DeBerry J, *Akbari, *Love, *McDaniel, *Dean, *Forgety, *Brooks H, *Sexton, *Bailey, *Lundberg, *Powers, *Brooks K, *Lollar, *White D, *Hardaway, *Holt, *Halford, *Butt)

Senate Bill No. 2115 -- Education, Higher - As introduced, permits a student at a public institution of higher education to be charged in-state tuition, if the student is a citizen of the United States, has resided in Tennessee for at least one year and has graduated from a Tennessee public secondary school or a private secondary school in this state and approved by the state board of education as a Category 1, 2, or 3 secondary school or earned a Tennessee high school equivalency diploma. - Amends TCA Title 49. by *Gardenhire, *Burks. (*HB1929 by *White M, *Hardaway, *Powell)

Senate Bill No. 2156 -- Safety - As introduced, authorizes the chief inspector of boilers to grant variances to the requirements for frequency of inspections. - Amends TCA Title 68, Chapter 122. by *Green. (*HB1806 by *Shipley)

Senate Bill No. 2193 -- Education - As introduced, attributes the data from TCAPs and end of course exams of a student transferring from one LEA to another or from one school to another to the school at which the student was in attendance for the greatest number of days. -

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Amends TCA Title 49, Chapter 1, Part 6 and Title 49, Chapter 6, Part 60. by *Ketron. (*HB2052 by *Womick)

Senate Bill No. 2413 -- Landlord and Tenant - As introduced, requires any landlord registering in Davidson county to provide the landlord's or their agent's physical address to the department of codes and building safety; also requires the landlord, or their agent, to notify the department if any such information changes, or if ownership of the dwelling units changes, within 30 days of such change. - Amends TCA Title 13; Title 29, Chapter 3; Title 37; Title 39; Title 40; Title 55 and Title 66, Chapter 28. by *Henry. (*HB2276 by *Gilmore)

Senate Bill No. 2421 -- Education, Curriculum - As introduced, urges the departments of education and children's services to work together to enhance or adapt curriculum materials that focus on child sexual abuse, including such abuse which may occur in the child's home. - Amends TCA Title 37, Chapter 1; Title 37, Chapter 5; Title 49, Chapter 10 and Title 49, Chapter 6. by *Overbey. (*HB2294 by *White M, *Ragan, *Coley, *Rogers, *Dean, *Alexander, *White D, *Kane, *Carr D, *Todd, *Butt, *Lollar, *Camper)

***Senate Bill No. 2472** -- Annexation - As introduced, extends moratorium from May 15, 2014, to May 15, 2015, on annexation by a municipality by means of ordinance in order to annex territory being used primarily for residential or agricultural purposes; extends study by TACIR until February 1, 2015. - Amends TCA Section 6-51-122. by *Norris. (HB2469 by *Parkinson)

Senate Bill No. 2515 -- Mass Transit - As introduced, directs the department of transportation to study the construction, operation and financing of a monorail public transportation system along the Nashville Southeast Corridor on and along I-24; requires the department to report findings by February 1, 2015, to the transportation committees. by *Ketron. (*HB2340 by *Sparks)

Senate Bill No. 2538 -- Health Care - As introduced, requires hospitals to report claims data on inpatient and outpatient discharges to the commissioner of health on a monthly basis, instead of quarterly. - Amends TCA Title 56 and Title 68. by *Tracy, *Overbey, *Beavers, *Bell, *Bowling, *Burks, *Campfield, *Crowe, *Dickerson, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Southerland, *Stevens, *Summerville, *Tate, *Watson, *Yager, *Ramsey. (*HB2257 by *McManus)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2531 -- Samburg -- House Local Government Committee

House Bill No. 2532 -- Altamont -- House Local Government Committee

**DELAYED BILLS REFERRED
March 25, 2014**

Pursuant to **Rule No. 77**, Senate Joint Resolution(s) No(s). 605 and House Joint Resolution(s) No(s) 847, was/were referred to the Delayed Bills Committee.

Senate Joint Resolution No. 605 -- Naming and Designating -- Police Memorial Week, May 12-16, 2014. by *Burks

House Joint Resolution No. 847 -- General Assembly, Statement of Intent or Position - Expresses profound regret for the enslavement and racial segregation of African-Americans. by *Turner M

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 25, 2014**, reported the following:

CONSUMER AND HUMAN RESOURCES COMMITTEE

The Consumer and Human Resources Committee transmitted the following to the Criminal Justice Committee: House Bill(s) No(s). 1688 with amendments.

EDUCATION COMMITTEE

The Education Committee recommended for passage: House Bill(s) No(s). 1654 and House Joint Resolution(s) No(s). 543, also House Bill(s) No(s). 1857, 2049, 2115, 2246 and 1375 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2434 and 2116, and House Joint Resolution(s) No(s). 551 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Agriculture and Natural Resources Committee: House Bill(s) No(s). 2313 with amendments.

It further transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 2249 and 1381 with amendments.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways & Means Committee recommended for passage: House Bill(s) No(s). 1530, 1754, 926, 1062, 2445, 2205, 2094, 1829, 2337, 1534, 1386, 2236, 2025, 2218, 2143, 2273, 1424, 1942, 2091 and 1958, also House Bill(s) No(s). 1398, 2371, 964, 2300, 2368, 1134 and 2256 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

INSURANCE AND BANKING COMMITTEE

The Insurance and Banking Committee recommended for passage: House Bill(s) No(s). 2444. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1757 and 859 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 2129 with amendments.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee recommended for passage: House Bill(s) No(s). 2523, 2513, 2521, 2509 and 2514, also House Bill(s) No(s). 1446 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following bill(s) to the Education Committee: House Bill(s) No(s). 2250.

STATE GOVERNMENT COMMITTEE

The State Government Committee recommended for passage: House Bill(s) No(s). 2495, 2381, 1774 and 1406, also House Bill(s) No(s). 1569, 654, 714, 2361, 2136 and 2137 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2451, 2097, 2037, 2454, 2004, 2288 and House Joint Resolution(s) No(s). 674, also House Bill(s) No(s). 2503, 1403, 2449, 2435, 1913, 1328, 1542, 1745, 1755, 1938, 2221, 2240, 47 and 1873 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reports that House Bill(s) No(s). 2395 and 1909, also House Resolution(s) No(s). 145 were considered, but failed to pass.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bill(s) No(s). 1710, 2309 and 464 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1699, 2340, 1485 and 2312 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Education Committee: House Bill(s) No(s). 2220 with amendments.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 26, 2014**, reported the following:

BUSINESS AND UTILITIES COMMITTEE

The Business and Utilities Committee recommended for passage: House Bill(s) No(s). 2278, also House Bill(s) No(s). 1138 and 2276 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1806 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CIVIL JUSTICE COMMITTEE

The Civil Justice Committee recommended for passage: House Bill(s) No(s). 1520 and House Joint Resolution(s) No(s). 669, also House Bill(s) No(s). 1399, 2120 and 2200 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following bill(s) to the Finance, Ways & Means Committee: House Bill(s) No(s). 1480, also House Bill(s) No(s). 1794 and 631 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 379.

The Committee also transmitted the following bill(s) to the Criminal Justice Committee: House Bill(s) No(s). 1779 with amendments.

The Committee further reports that House Bill(s) No(s). 2185 was considered, but failed to pass.

CRIMINAL JUSTICE COMMITTEE

The Criminal Justice Committee recommended for passage: House Bill(s) No(s). 1519, 2258, 1109 and 2188 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2377, also House Bill(s) No(s). 2158 and 2029 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 2139.

The Committee also transmitted the following bill(s) to the Health Committee: House Bill(s) No(s). 1574 with amendments.

HEALTH COMMITTEE

The Health Committee recommended for passage: House Bill(s) No(s). 1858 and 1257, also House Joint Resolution(s) No(s). 672 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2257, 1904, 2104, 2266 and 1661 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Criminal Justice Committee: House Bill(s) No(s). 1466 with amendments.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 27, 2014**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 31, 2014**: House Bill(s) No(s). 1520, 1440, 2445, 1852, 2163, 2356, 2304, 2361, 1989, 2415, 2217, 1774, 714, 2514, 2300, 964, 1857, 2309, and 2246.

The committee also set the following bill(s) on the **Regular Calendar** for **April 2, 2014**: House Bill(s) No(s). 1569, 2273, 1424, 2049, 2513, 2521, 1134, 1530, 1754, 2337, 2143, 2236, 2523, 1386, 2371, 1398, and 1654.

The committee also set the following bill(s) on the **Regular Calendar** for **April 3, 2014**: House Bill(s) No(s). 1860, 1513, 2094, House Joint Resolution(s) No(s). 588, House Bill(s) No(s). 654, 2322, 1062, 926, 1877, 1758, 2339, 1446, 2115, 2025, 1958, and 2368.

It further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 31, 2014**: House Bill(s) No(s). 2495, 2091, House Resolution(s) No(s). 154, 155, 156, House Bill(s) No(s). 2444, House Joint Resolution(s) No(s). 543, House Bill(s) No(s). 2205, 1942, Senate Joint Resolution(s) No(s). 535, and House Bill(s) No(s). 2509.

CONSENT CALENDAR

House Resolution No. 193 -- Memorials, Recognition - Dickson County High School Concert Choir, Carnegie Hall Performance. by *Littleton, *Shepard.

House Joint Resolution No. 842 -- Memorials, Death - Bud Mount. by *Hill T.

House Joint Resolution No. 843 -- Memorials, Retirement - Judge Melinda Anne Norton. by *Goins.

House Joint Resolution No. 844 -- Memorials, Recognition - B. Campbell Smoot, Jr. by *Matheny.

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House Joint Resolution No. 845 -- Memorials, Recognition - Pastor Richard Douglas DeMerchant. by *Matlock, *Calfee.

House Joint Resolution No. 846 -- Memorials, Public Service - Herbert Douglas Hardcastle. by *Turner M, *Floyd.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Pody voted "aye" on the **Consent Calendar**.

REGULAR CALENDAR

***House Bill No. 1401** -- Clerks, Court - As introduced, authorizes court clerks to retain 50 percent of the fines, costs, or litigations taxes in default for six months or more which are collected using an in-house collection procedure. - Amends TCA Title 6; Title 9; Title 20; Title 40; Title 41; Title 55 and Title 70. by *Goins, *Dean, *Ragan, *Ramsey, *Carr D, *Swann. (SB1673 by *Southerland, *McNally, *Overbey)

Further consideration of House Bill No. 1401 previously considered on March 13, 2014, at which time it was reset for today's Calendar.

Rep. Goins requested that House Bill No. 1401 be reset for the Regular Calendar on April 3, 2014, which motion prevailed.

House Bill No. 1869 -- Search & Seizure - As introduced, prohibits a law enforcement officer from searching or extracting any data from a cellular telephone unless the officer has obtained a search warrant for the data obtained, and makes any such data illegally obtained inadmissible as evidence in a court or administrative hearing. - Amends TCA Title 40, Chapter 6, Part 1. by *Carter, *Lynn, *Littleton, *Moody, *Hardaway, *Powers. (*SB1757 by *Beavers)

Further consideration of House Bill No. 1869 previously considered on March 17, 2014, at which time it was reset for today's Calendar.

Rep. Carter moved that House Bill No. 1869 be passed on third and final consideration.

Rep. Lamberth moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1869 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 6, Part 1, is amended by adding the following as a new section:

40-6-109.

(a) As used in this section:

(1) "Cellular telephone" means a wireless telephone authorized by the federal communications commission to operate in the frequency bandwidth reserved for cellular radio telephones;

(2) "Cellular telephone data" means any data that is stored in a cellular telephone including telephone numbers, addresses, pictures, documents, texts, videos, music and any other information that is stored in a cellular telephone; and

(3) "Law enforcement officer" means any person authorized to effectuate an arrest who is employed by the state, or a county municipality or metropolitan form of government.

(b) No law enforcement officer shall search, examine, extract or duplicate any cellular telephone data, even if incident to a lawful arrest, unless:

(1) The officer has obtained a search warrant issued pursuant to this part or Rule 41 of the Tennessee rules of criminal procedure;

(2) The owner of the cellular telephone or the person in possession of the cellular telephone at the time it is seized gives the officer informed consent for the officer to search the cellular telephone; or

(3) Exigent circumstances exist at the time of the seizure requiring the officer to search the cellular telephone.

(c) No cellular telephone data that is obtained in violation of this section may be used in any court of law or administrative board as evidence, nor may other evidence that is derived from the illegally obtained data be used as evidence in any such proceeding.

(d) This section shall not apply to any cellular telephone that, at the time of its seizure or discovery, has been abandoned by the owner or person responsible for its abandonment.

SECTION 2 . This act shall take effect July 1, 2014, the public welfare requiring it.

Rep. Carter requested that House Bill No. 1869 be moved to the heel of the Calendar.

House Bill No. 2234 -- Surveyors - As introduced, allows a person to become a licensed surveyor without a college degree if the person has had practical training and experience working under the supervision of a registered land surveyor. - Amends TCA Title 62, Chapter 18, Part 1. by *Calfee, *Carr D, *Ragan, *Hill T, *Rogers. (*SB1931 by *Yager, *McNally, *Overbey)

On motion, House Bill No. 2234 was made to conform with **Senate Bill No. 1931**; the Senate Bill was substituted for the House Bill.

Rep. Calfee moved that Senate Bill No. 1931 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1931 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-18-109, is amended by deleting the section in its entirety and by substituting instead the following:

(a)

(1) The board shall consider and evaluate a land surveyor applicant's qualifications based upon:

(A) The applicant's education, technical, and land surveying experience;

(B) Exhibits of land surveying projects with which the applicant has been associated;

(C) Recommendations and character references; and

(D) The payment by the applicant of a fee set by the board in accordance with § 62-18-125 with the approval of the commissioner of commerce and insurance.

(2) The board shall, in proper cases as authorized in this chapter, issue a certificate of registration as a land surveyor to any person who submits evidence satisfactory to the board that the person is fully qualified to practice land surveying.

(3) A land surveyor applicant's qualifications may be reviewed at an interview if the board determines it necessary.

(4) Educational credit for institute courses, correspondence courses, or other courses shall be determined by the board.

(5) No person shall be eligible for registration who:

(A) Does not have a high school education diploma or a general equivalency diploma (GED®);

(B) Does not speak and write the English language; or

(C) Is not of good character and repute.

(b) The following shall be considered as the minimum evidence satisfactory to the board that the applicant meets the qualifications of a professional land surveyor:

(1) To be certified as a land surveyor intern (PLSIT), an applicant shall:

(A) Make a complete application to the board;

(B) Be of good character and reputation;

(C) Submit three (3) character references to the board, one (1) of whom is a professional land surveyor;

(D) Comply with the requirements of this chapter;

(E) Pass the Fundamentals of Land Surveying examination; and

(F) Satisfy one (1) of the following requirements related to education and experience:

(i) Obtain a baccalaureate degree from a surveying or surveying technology curriculum of four (4) or more years, approved by the board;

(ii) Obtain a baccalaureate degree from a science, engineering or technology curriculum of four (4) or more years related to the practice of land surveying, approved by the board, with a minimum of twenty-four (24) semester hours of board-approved coursework in the surveying sciences;

(iii) Obtain a baccalaureate degree from a non-surveying related curriculum of four (4) or more years, approved by the board, plus an additional thirty-six (36) semester hours of board-approved coursework in the surveying sciences;

(iv) Obtain an associate degree in surveying technology or a related science, engineering or technical field, approved by the board, with a minimum of thirty (30) semester hours of board approved coursework in the surveying sciences, a record of four (4) years of progressive practical experience, two (2) years of which shall have been under the direct supervision of a practicing professional land surveyor; or

(v) Obtain a high school education diploma or a general equivalency diploma (GED®) with a record satisfactory to the board of ten (10) years of progressive practical experience, six (6) years of which shall have been under the direct supervision of a practicing professional land surveyor.

(2) To be licensed as a professional land surveyor, an applicant shall:

(A) Make a complete application to the board;

(B) Be of good character and reputation;

(C) Submit five (5) character references to the board, three (3) of whom are professional land surveyors or individuals acceptable to the board and who have personal knowledge of the applicant's land surveying experience;

(D) Comply with the requirements of this chapter; and

(E) Satisfy one (1) of the following requirements:

(i) Obtain a baccalaureate degree from a surveying or surveying technology curriculum of four (4) or more years, approved by the board, and a record satisfactory to the board of two (2) years of progressive practical experience after the applicant passes the Fundamentals of Land Surveying examination, one (1) year of which shall have been in responsible charge of duties performed under a practicing professional land surveyor. An applicant who passes the Principles and Practice of Land Surveying examination and the Tennessee State Jurisdictional examination shall be granted licensure as a professional land surveyor;

(ii) Obtain a baccalaureate degree from a science, engineering or technology curriculum of four (4) or more years related to the practice of land surveying, approved by the board, with a minimum of twenty-four (24) semester hours of board-approved coursework in the surveying sciences, and a record satisfactory to the board of two (2) years of progressive practical experience after the applicant passes the Fundamentals of Land Surveying examination, one (1) year of which shall have been in responsible charge of duties performed under a practicing professional land surveyor. An applicant who passes the Principles and Practice of Land Surveying examination and the Tennessee State Jurisdictional examination shall be granted licensure as a professional land surveyor;

(iii) Obtain a baccalaureate degree from a non-surveying related curriculum of four (4) or more years, approved by the board, plus an additional thirty-six (36) semester hours of board-approved coursework in the surveying sciences, and a record satisfactory to the board of two (2) years of progressive practical experience after the applicant passes the Fundamentals of Land Surveying examination, one (1) year of which shall have been in responsible charge of duties under a practicing professional land surveyor. An applicant who passes the Principles and Practice of Land Surveying examination and the Tennessee State Jurisdictional examination shall be granted licensure as a professional land surveyor;

(iv) Obtain an associate degree in surveying technology or a related science, engineering or technical field approved by the board with a minimum of thirty (30) semester hours of board-approved coursework in the surveying sciences, and a record satisfactory to the board of four (4) years of progressive practical experience, three

(3) years of which shall have been in responsible charge of duties performed under a practicing professional land surveyor if the applicant passes the Fundamentals of Land Surveying examination on or before June 30, 2016, or if the applicant does not pass the Fundamentals of Land Surveying on or before June 30, 2016, a record satisfactory to the board of six (6) years of progressive practical experience after the applicant passes the Fundamentals of Land Surveying examination, four (4) years of which shall have been in responsible charge of duties under a practicing professional land surveyor. An applicant who passes the Principles and Practice of Land Surveying examination and the Tennessee State Jurisdictional examination shall be granted licensure as a professional land surveyor; or

(v) Comply with the requirements of subdivision (b)(1)(F)(v) as approved by the board and pass the Fundamentals of Land Surveying examination on or before June 30, 2017, or if the applicant does not pass the Fundamentals of Land Surveying examination on or before June 30, 2017, obtain six (6) years of progressive practical experience which shall have been in responsible charge of the duties performed under a professional land surveyor after the applicant passes the Fundamentals of Land Surveying examination, plus an additional twelve (12) hours of board-approved coursework in the surveying sciences. An applicant who passes the Principles and Practice of Land Surveying examination and the Tennessee State Jurisdictional examination shall be granted licensure as a professional land surveyor.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any person seeking to become a certified land surveyor intern or a registered or licensed land surveyor on or after the effective date of this act.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Calfee moved that **Senate Bill No. 1931**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell,

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Representatives voting no were: Williams R -- 1

A motion to reconsider was tabled.

***House Bill No. 2035** -- Courts - As introduced, confers jurisdiction over public nuisance claims on courts designated as environmental courts by Chapter 212 of the Public Acts of 1993 or Chapter 667 of the Public Acts of 2002. - Amends TCA Section 29-3-102. by *Powell. (SB2488 by *Dickerson)

Rep. Powell moved that House Bill No. 2035 be passed on third and final consideration.

Rep. Pitts moved the previous question, which motion prevailed.

Rep. Powell moved that **House Bill No. 2035** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	6

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Sexton, Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Carr J, Hall, Hill T, Holt, Rogers, Shipley -- 6

A motion to reconsider was tabled.

House Bill No. 2489 -- Regional Authorities and Special Districts - As introduced, authorizes the creation of a pilot program by the Cumberland regional business and agribusiness marketing authority to establish and maintain small business incubators in the region. - Amends TCA Title 64, Chapter 10, Part 2. by *Powers. (*SB2578 by *Yager)

Rep. Powers moved that House Bill No. 2489 be passed on third and final consideration.

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Rep. Powers moved that **House Bill No. 2489** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 2264 -- Teachers, Principals and School Personnel - As introduced, prohibits the establishment of any rules, policies or guidelines to require the results from classroom observation evaluations to correlate with TVAAS statistical data. - Amends TCA Title 49. by *Hawk, *Brooks H, *Brooks K, *Eldridge, *Dunn, *Dennis. (*SB2342 by *Bowling)

Rep. Hawk moved that House Bill No. 2264 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2264 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-302(d)(2), is amended by adding the following language as a new subdivision (D):

No rules, policies, or guidelines shall be established that require the classroom or position observation results pursuant to subdivision (d)(2)(C) to be aligned with TVAAS data.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that Amendment No. 3 be withdrawn, which motion prevailed.

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Rep. Hawk moved that **House Bill No. 2264**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 1179 -- Education, Dept. of - As introduced, requires department to utilize scale of 100 percent when reporting progress in the Tennessee report card for schools beginning with the report for the 2013-2014 school year. - Amends TCA Title 49. by *Towns, *Cooper. (*SB1112 by *Kyle)

Rep. Towns moved that House Bill No. 1179 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1179 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-407, is amended by designating the existing language as subsection (a) and adding the following language as new subsection (b):

(b) The state board of education shall develop a uniform grading system for students enrolled in grades kindergarten through eight (K-8) that LEAs may adopt and implement.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Lollar moved the previous question, which motion prevailed.

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Rep. Towns moved that **House Bill No. 1179**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	3
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Evans, Pitts, Pody -- 3

Representatives present and not voting were: Johnson G -- 1

A motion to reconsider was tabled.

***House Bill No. 1380** -- Funeral Directors and Embalmers - As introduced, codifies requirements for the inspection of funeral establishments presently enforced pursuant to board rules; authorizes unannounced inspections of establishments by a licensed funeral director and embalmer acting on behalf of the board. - Amends TCA Title 62, Chapter 5, Part 2. by *Forgety. (SB1675 by *Southerland, *Ford)

On motion, House Bill No. 1380 was made to conform with **Senate Bill No. 1675**; the Senate Bill was substituted for the House Bill.

Rep. Forgety moved that Senate Bill No. 1675 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Forgety moved that **Senate Bill No. 1675** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry

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J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 1933 -- Environment and Conservation, Department of - As introduced, requires the department to report to the energy, agriculture and natural resources committee of the senate and to the agriculture and natural resources committee of the house of representatives on each instance where the department acquired private property by eminent domain in the previous year. - Amends TCA Title 11, Chapter 1 and Title 11, Chapter 14. by *Forgety. (*SB2048 by *Bell)

On motion, House Bill No. 1933 was made to conform with **Senate Bill No. 2048**; the Senate Bill was substituted for the House Bill.

Rep. Forgety moved that Senate Bill No. 2048 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Forgety moved that **Senate Bill No. 2048** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Moody -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2048** and have this statement entered in the Journal: Rep(s). Powell.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2208** -- Civil Procedure - As introduced, authorizes a trustee to rescind a foreclosure sale within five business days of a sale of land for the foreclosure of a deed of trust. - Amends TCA Title 8; Title 16; Title 21; Title 26 and Title 35. by *Wirgau. (SB2399 by *Green)

Rep. Wirgau moved that House Bill No. 2208 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2208 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 8-21-401, is amended by deleting from subdivision (i)(7) the language "ten percent (10%) on the amount of sales up to six thousand dollars (\$6,000), and an additional amount to be fixed within such limits, in the discretion of the court" and substituting instead the language "three percent (3%) on the amount of sales".

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lundberg moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Wirgau moved that **House Bill No. 2208**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	6
Present and not voting.....	3

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G,

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Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Roach, Rogers, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Doss, Fitzhugh, Parkinson, Rich, Towns, Turner M -- 6

Representatives present and not voting were: Akbari, Camper, Williams K -- 3

A motion to reconsider was tabled.

***House Bill No. 2294** -- Education, Curriculum - As introduced, urges the departments of education and children's services to work together to enhance or adapt curriculum materials that focus on child sexual abuse, including such abuse which may occur in the child's home. - Amends TCA Title 37, Chapter 1; Title 37, Chapter 5; Title 49, Chapter 10 and Title 49, Chapter 6. by *White M, *Ragan, *Coley, *Rogers, *Dean, *Alexander, *White D, *Kane, *Carr D, *Todd, *Butt, *Lollar, *Camper. (SB2421 by *Overbey)

On motion, House Bill No. 2294 was made to conform with **Senate Bill No. 2421**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 2421 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 2421** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

***House Bill No. 1807** -- Licenses - As introduced, reduces from sixty to forty-five days the period in which an ambulance service may renew its license, following the expiration date, by payment of the renewal fee and late penalty. - Amends TCA Title 68. by *Shipley. (SB2029 by *Hensley)

On motion, House Bill No. 1807 was made to conform with **Senate Bill No. 2029**; the Senate Bill was substituted for the House Bill.

Rep. Shipley moved that Senate Bill No. 2029 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Shipley moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2029 by deleting Section 1 of the printed bill as introduced and by appropriately redesignating subsequent sections.

On motion, Amendment No. 2 was adopted.

Rep. Shipley moved that **Senate Bill No. 2029**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 1526** -- Evidence - As introduced, creates presumption to successor trial and appellate judges that if the original trial judge dismisses the jury following a unanimous verdict, that the judge exercised his or her duties as the 13th juror and approves the verdict. - Amends TCA Title 40, Chapter 18, Part 1. by *Haynes, *Calfee, *Matlock, *Dunn, *Kane, *Hall, *Farmer, *Weaver. (SB1796 by *McNally, *Campfield, *Massey, *Yager)

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On motion, House Bill No. 1526 was made to conform with **Senate Bill No. 1796**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that **Senate Bill No. 1796** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 1527** -- Criminal Procedure - As introduced, enacts the "Channon Christian Act", which clarifies rule of evidence regarding certain character evidence. - Amends TCA Title 24, Chapter 7, Part 1. by *Haynes, *Kane, *Calfee, *Matlock, *Dunn, *Hall, *Farmer, *Sexton. (SB1797 by *McNally, *Campfield, *Massey, *Yager)

On motion, House Bill No. 1527 was made to conform with **Senate Bill No. 1797**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 1797 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1797 by deleting the second preamble clause and by substituting instead the following:

WHEREAS, most federal courts have interpreted the word "person" in Rule 404(b) to bar admission of anyone's prior bad acts and not just the accused. United States v. Lucas, 357 F.3d 599, 606 (6th Cir. 2004); United States v. Williams, 458 F.3d 312, 317 (3d Cir. 2006); Agushi v. Duerr, 196 F.3d 754, 760 (7th Cir. 1999); and United States v. McCourt, 925 F.2d 1229, 1232 (9th Cir. 1991); and

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1797 by deleting the amendatory language of SECTION 2 in its entirety and by substituting instead the following:

24-7-125.

In a criminal case, evidence of other crimes, wrongs, or acts is not admissible to prove the character of any individual, including a deceased victim, the defendant, a witness, or any other third-party, in order to show action in conformity with the character trait. It may, however, be admissible for other purposes. The conditions which must be satisfied before allowing such evidence are:

(1) The court upon request must hold a hearing outside the jury's presence;

(2) The court must determine that a material issue exists other than conduct conforming with a character trait and must upon request state on the record the material issue, the ruling, and the reasons for admitting the evidence;

(3) The court must find proof of the other crime, wrong, or act to be clear and convincing; and

(4) The court must exclude the evidence if its probative value is outweighed by the danger of unfair prejudice.

On motion, Civil Justice Committee Amendment No. 2 was adopted.

Rep. Haynes moved that **Senate Bill No. 1797**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 2155 -- Clerks, Court - As introduced, deletes the exemptions for Shelby and Knox counties regarding the statutory maximum fee a court clerk may charge for computer searches for any public record having commercial value; limits all court clerks statewide to charging no more than \$5.00 for such searches. - Amends TCA Title 8, Chapter 21, Part 4. by *Ramsey. (*SB2097 by *Southerland)

Rep. Ramsey moved that House Bill No. 2155 be reset for the Regular Calendar on March 31, 2014, which motion prevailed.

***House Bill No. 1894** -- Basic Education Program (BEP) - As introduced, clarifies \$100 out of \$200 be given to each teacher by August 1 so that the teacher may spend it at any time during that school year on instructional supplies as determined necessary by the teacher; requires LEA to send written explanation to education committees and commissioner for any noncompliance. - Amends TCA Title 49, Chapter 3, Part 3. by *Marsh, *Brooks H, *White M, *White D, *Kane, *Forgety, *Moody. (SB2277 by *Dickerson, *Burks)

On motion, House Bill No. 1894 was made to conform with **Senate Bill No. 2277**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 2277 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 2277** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2277** and have this statement entered in the Journal: Rep(s). G. Johnson.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1714** -- Insurance Companies, Agents, Brokers, Policies - As introduced, deletes the statutory prohibition on political funding by insurance companies and associations doing business in this state. - Amends TCA Title 56, Chapter 3. by *Marsh. (SB2125 by *Johnson)

Rep. Marsh moved that House Bill No. 1714 be passed on third and final consideration.

Rep. Casada moved the previous question, which motion prevailed.

Rep. Marsh moved that **House Bill No. 1714** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes.....	24
Present and not voting.....	3

Representatives voting aye were: Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Casada, Coley, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Johnson C, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Camper, Cooper, Dunn, Favors, Fitzhugh, Floyd, Gilmore, Hardaway, Haynes, Jernigan, Johnson G, Jones, Lundberg, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Stewart, Turner J, Turner M -- 24

Representatives present and not voting were: Dean, DeBerry J, Kane -- 3

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. K. Brooks voted “aye” on **House Bill No. 1714**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1714** and have this statement entered in the Journal: Rep(s). Van Huss.

REGULAR CALENDAR, CONTINUED

***House Bill No. 91** -- Teachers, Principals and School Personnel - As introduced, limits duration that a tenured teacher may be suspended pending investigation to 30 days only if the matter investigated is not the subject of an ongoing criminal investigation or a DHS investigation. - Amends TCA Title 49, Chapter 5, Part 5. by *Eldridge. (SB417 by *Crowe)

On motion, House Bill No. 91 was made to conform with **Senate Bill No. 417**; the Senate Bill was substituted for the House Bill.

Rep. Eldridge moved that Senate Bill No. 417 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved that **Senate Bill No. 417** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 1441** -- Workers Compensation - As introduced, allows the administrator of the division of workers' compensation to withdraw funds from the employee misclassification education and enforcement fund to provide benefits available through the uninsured employers fund. - Amends TCA Title 50, Chapter 6, Part 8. by *McCormick, *Eldridge, *Brooks K. (SB1646 by *Norris, *Watson, *Yager)

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Rep. Eldridge moved that **House Bill No. 1441** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 1242** -- Consumer Protection - As introduced, authorizes the commissioner of financial institutions to enforce title 47 against any entity regulated by the commissioner. - Amends TCA Title 45 and Title 47. by *Johnson C, *DeBerry J, *Pitts, *Eldridge. (SB1360 by *Johnson)

On motion, House Bill No. 1242 was made to conform with **Senate Bill No. 1360**; the Senate Bill was substituted for the House Bill.

Rep. C. Johnson moved that Senate Bill No. 1360 be passed on third and final consideration.

Rep. Eldridge requested that Consumer and Human Resources Committee Amendment No. 1, be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1360 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, is amended by adding the following new chapter thereto:

47-51-101. This chapter shall be known and may be cited as the "Tennessee Litigation Financing Consumer Protection Act."

47-51-102. As used in this chapter:

(1) “Consumer” means any natural person who resides, is present or is domiciled in this state, or who is or may become a plaintiff or complainant in a dispute in this state;

(2) “Litigation financier” means a person, entity or partnership engaged in the business of litigation financing; and

(3) “Litigation financing” or “litigation financing transaction”:

(A) Means a non-recourse transaction in which financing is provided to a consumer in return for a consumer assigning to the litigation financier a contingent right to receive an amount of the potential proceeds of the consumer’s judgment, award, settlement or verdict obtained with respect to the consumer’s legal claim; and

(B) Does not include:

(i) Legal services provided on a contingency fee basis, or advanced legal costs, where such services or costs are provided to or on behalf of a consumer by an attorney representing the consumer in the

dispute and in accordance with the Tennessee Rules of Professional Conduct;

(ii) A commercial tort claim as defined by § 47-9-102; or

(iii) A claim under the Workers’ Compensation Law, compiled in title 50, chapter 6.

47-51-103.

(a)

(1) No litigation financier shall engage in a litigation financing transaction in this state unless it is registered as a litigation financier in this state.

(2) A litigation financier that is a business entity or partnership is registered in this state if:

(A) It is in compliance with the bond requirements of subsection (b);

(B) It has a status of active and in good standing as reflected in the records of the secretary of state; and

(C) Its charter, articles of organization, certificate of limited partnership, or other organizational document, or, if a foreign

entity, its Tennessee application for a certificate of authority, contains a statement that it shall be designated as a litigation financier pursuant to this chapter.

(3) A litigation financier that is not a business entity or partnership is registered in this state if:

(A) It is in compliance with the bond requirements of subsection (b); and

(B) It files an application for registration as a litigation financier on a form prescribed by the secretary of state, along with a filing fee of one hundred dollars (\$100), that contains the following:

(i) Applicant's full legal name;

(ii) Business name of applicant, if any;

(iii) Physical street address and mailing address of the applicant;

(iv) A telephone number through which the applicant can be reached;

(v) The name, physical street address, mailing address, and telephone number for a Tennessee registered agent appointed to accept service of process on behalf of the applicant;

(vi) A statement that the applicant shall be designated as a litigation financier pursuant to this chapter; and

(vii) Any other information the secretary of state deems necessary.

(b)

(1) Each litigation financier shall file and have approved by the secretary of state a surety bond in the amount of fifty thousand dollars (\$50,000).

(2) Such bond shall be payable to this state for the use of the attorney general and reporter and any person who may have a cause of action against the obligor of the bond for any violation of this chapter. The bond shall continue in effect so long as a litigation financier is designated as a litigation financier in the records of the secretary of state.

(c) A litigation financier shall amend its registration with the secretary of state within thirty (30) days whenever the information contained in such record changes or becomes inaccurate or incomplete in any respect. A litigation financier that is not a business entity or partnership may amend its registration with the secretary of state by filing an amendment on a form prescribed by the secretary of state, along with a filing fee of twenty dollars (\$20.00).

(d) All documents filed pursuant to this section are public record.

(e) The secretary of state shall collect a fee of twenty dollars (\$20.00) for copying all filed documents pursuant to this act. All such copies shall be certified or validated by the secretary of state.

(f) The secretary of state, as appropriate, may promulgate rules in implementing this chapter, including but not limited to, the adoption of fees to cover any administrative costs relating to administering this act.

47-51-104. A litigation financier shall fulfill each of the following requirements when engaged in litigation financing:

(1) The terms of the litigation financing transaction shall be set forth in a written contract that is completely filled-in with no incomplete sections when the contract is offered or presented to the consumer;

(2) The litigation financing contract shall contain a right of rescission, allowing the consumer to cancel the litigation financing contract without penalty or further obligation if, within five (5) business days following the consumer's receipt of the funds or goods, or execution of the litigation financing contract, whichever is later, the consumer gives notice of the rescission and returns any money or goods already provided to the consumer by the litigation financier;

(3) The litigation financing contract shall contain a written acknowledgment by the consumer of whether the consumer is represented by an attorney in the dispute;

(4) If the consumer acknowledges that the consumer is represented by an attorney in the dispute, the litigation financing contract shall include a written acknowledgment executed by the consumer's attorney in the dispute in which the attorney acknowledges all of the following:

(A) The attorney has had the opportunity to review the litigation financing contract on behalf of the consumer;

(B) Whether the attorney is being paid on a contingency basis pursuant to a written fee agreement;

(C) That all proceeds of the legal claim shall be disbursed by either the trust account of the attorney representing the consumer in the

dispute or a settlement fund established to receive the proceeds of the dispute from the defendant on behalf of the consumer;

(D) The attorney is representing the consumer with regard to the dispute that is the subject of the litigation financing contract; and

(E) The attorney has neither received nor paid a referral fee or any other consideration from or to the litigation financier, nor will the attorney in the future; and

(5) In the event that proceeds are paid into a settlement fund or trust, the litigation financier shall notify the administrator of the fund or trust of any outstanding liens arising from the litigation financing contract.

47-51-105. A litigation financier shall not:

(1) Pay or offer to pay commissions, referral fees or other forms of consideration to any attorney, law firm, medical provider, chiropractor, or physical therapist or any of their employees for referring a consumer to a litigation financier;

(2) Accept any commissions, referral fees, rebates or other forms of consideration from an attorney, law firm, medical provider, chiropractor, or physical therapist or any of their employees;

(3) Advertise false or misleading information regarding its products or services;

(4) Refer a consumer or potential consumer to a specific attorney, law firm, medical provider, chiropractor, or physical therapist or any of their employees; provided, if a consumer does not have legal representation, the provider shall refer the consumer to a local or state bar referral service operated by a bar association or a non-profit organization;

(5) Fail to promptly supply copies of any and all complete litigation financing contracts to the consumer and the attorney representing the consumer in the dispute;

(6) Attempt to obtain a waiver of any remedy, including but not limited to, compensatory, statutory, or punitive damages, that the consumer might otherwise have;

(7) Attempt to effect arbitration or otherwise effect waiver of a consumer's right to trial by jury;

(8) Offer or provide legal advice to the consumer regarding the litigation financing or the underlying dispute; or

(9) Assign a litigation financing contract in whole or part.

47-51-106.

(a) Litigation financing contracts shall contain the disclosures specified in this section, which shall constitute material terms of the litigation financing contract.

(b) Unless otherwise specified, the disclosures shall be typed in at least fourteen-point, bold font and be placed clearly and conspicuously within the litigation financing contract, as follows:

(1) On the front page under appropriate headings in not less than fourteen-point font, language specifying:

(A) The total amount of money to be provided to the consumer by the litigation financier as part of the litigation financing transaction;

(B) The maximum amount the consumer can be required to provide the litigation financier, including but not limited to, all fees, charges, interest or other consideration, under the terms of the litigation financing contract;

(C) The maximum annual percentage fee, which shall include, but not be limited to, all fees, charges, interest or other consideration received by a litigation financier in consideration for litigation financing; provided, the consumer may be charged for the litigation financing transaction under the terms of the litigation financing contract;

(D) The following:

Consumer's Right to Cancellation: You may cancel this contract without penalty or further obligation within five (5) business days from the date you signed this contract or received financing from [insert name of the litigation financier] by: returning the funds to [insert name, office address and office hours of the litigation financier] or by U.S. mail, [insert name and mailing address of litigation financier]. For purposes of the return deadline by U.S. mail, the postmark date on the returned funds or, if mailed by registered or certified mail, the date of the return receipt requested shall be considered the date of return.

(2) Within the body of the litigation financing contract, the following:

The litigation financier agrees that it has no right to and will not make any decisions about the

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conduct of your lawsuit or dispute and that the right to make those decisions remains solely with you and your attorney;

(3) Within the body of the litigation financing contract, in all capital letters contained within a box the following:

IF THERE IS NO RECOVERY OF ANY MONEY FROM YOUR LEGAL CLAIM OR IF THERE IS NOT ENOUGH MONEY TO SATISFY THE PORTION ASSIGNED TO [INSERT NAME OF THE LITIGATION FINANCIER] IN FULL, YOU WILL NOT OWE [INSERT NAME OF THE LITIGATION FINANCIER] ANYTHING IN EXCESS OF YOUR RECOVERY.

(4) Located immediately above the place on the litigation financing contract where the consumer's signature is required, the litigation financing contract shall include the following:

Do not sign this contract before you read it completely. If this contract contains any incomplete sections, you are entitled to a completely filled-in copy of the contract prior to signing it. Before you sign this contract, you should obtain the advice of an attorney. Depending on the circumstances you may want to consult a tax advisor, a financial professional or an accountant.

47-51-107. Any violation of this chapter shall make the litigation financing contract unenforceable by the litigation financier, the consumer or any successor-in-interest to the litigation financing contract.

47-51-108.

Any violation of this part shall constitute a violation of the Tennessee Consumer Protection Act of 1977, compiled in title 47, chapter 18, part 1, and shall be enforced solely by the attorney general and reporter at his or her discretion. For the purpose of application of the Tennessee Consumer Protection Act of 1977, any violation of this part shall be construed to be an unfair or deceptive act or practice affecting the conduct, trade or commerce and subject to all sanctions, penalties and remedies provided in that act, including attorneys' fees and costs. Nothing in this chapter shall be construed to limit the exercise of powers or the performance of the duties of the attorney general and reporter, including those provided by the Tennessee Consumer Protection Act of 1977, which the attorney general and reporter is otherwise authorized or required to exercise or perform by law.

47-51-109.

(a) The contingent right to receive an amount of the potential proceeds of a legal claim may be assigned by a consumer and that assignment is valid for the purposes of obtaining litigation financing from a litigation financier.

(b) Any lien, subrogation interest or right of reimbursement against the consumer's legal claim shall take priority over any lien, subrogation interest or right of reimbursement of the litigation financier.

47-51-110.

(a) All consumers entering into litigation financing transactions shall pay the litigation financier an annual fee of not more than ten percent (10%) of the original amount of money provided to the consumer for the litigation financing transaction.

(b) Litigation financiers shall not charge a consumer the annual fee authorized by subsection (a) more than one (1) time each year with regard to any single legal claim regardless of the number of litigation financing transactions that the litigation financier enters into with the consumer with respect to such legal claim.

(c) Litigation financing transactions shall not exceed a term of three (3) years and are limited to a maximum yearly fee, which shall be calculated to include any underwriting and organization fees, and any other charges, fees, or consideration, not to exceed three hundred sixty dollars (\$360) per year, up to a maximum of three (3) years, for each one thousand dollars (\$1,000) of the unpaid principal amount of the funds advanced to the consumer. The maximum yearly fee shall not include the annual fee pursuant to subsection (a).

(d) Litigation financiers shall not enter into an agreement with a consumer that has the effect of incorporating the consumer's obligations to the litigation financier that are contained in the original litigation financing transaction into a subsequent litigation financing transaction.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION 3. For the purposes of promulgating rules, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2014, and shall apply to litigation financing contracts executed on or after that date, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Johnson moved that House Bill No. 1242 be reset for the Regular Calendar on April 3, 2014, which motion prevailed.

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House Bill No. 1939 -- Controlled Substances - As introduced, requires signature and valid identification be obtained from patients before health care providers dispense benzodiazepine or opioids; expands the definition of "pain management clinics" and adds "chronic non-malignant pain treatment"; and requires commissioner of health to promulgate rules regarding drug screening and compliance plan. - Amends TCA Title 53, Chapter 11 and Title 63, Chapter 1. by *Dunn, *Doss, *Ramsey, *Sexton, *Weaver, *Moody. (*SB2000 by *Yager, *Massey)

On motion, House Bill No. 1939 was made to conform with **Senate Bill No. 2000**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 2000 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 2000** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

House Bill No. 1940 -- State Employees - As introduced, revises the provisions governing the Tennessee Excellence, Accountability and Management (TEAM) Act. - Amends TCA Title 8, Chapter 30, Part 3. by *Dunn, *Hawk, *Coley, *Keisling, *Kane, *Calfee, *Faison, *Harrison, *Carr D, *Ramsey, *Farmer, *Hill T, *Shaw, *Johnson G, *Windle, *Swann, *Hill M, *Stewart, *Jernigan, *Dennis, *Mitchell, *Eldridge, *Alexander, *Doss, *Pitts, *Matlock, *Fitzhugh, *Williams K, *Turner M, *Matheny, *Tidwell, *Cooper, *Odom, *Shepard, *Powell, *Turner J, *Gilmore, *Miller, *Armstrong, *DeBerry J, *Akbari, *Love, *McDaniel, *Dean, *Forgety, *Brooks H, *Sexton, *Bailey, *Lundberg, *Powers, *Brooks K, *Lollar, *White D, *Hardaway, *Holt, *Halford, *Butt. (*SB2045 by *Southerland, *Gardenhire, *Hensley, *Massey, *Niceley)

On motion, House Bill No. 1940 was made to conform with **Senate Bill No. 2045**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 2045 be passed on third and final consideration.

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Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 2045** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick -- 89

A motion to reconsider was tabled.

***House Bill No. 1420** -- State Employees - As introduced, makes certain revisions to the T.E.A.M. Act; expands board of appeals to no more than 18 members rather than nine; clarifies burden of proof and standard of review during the appeals process; establishes when an order or settlement agreement becomes final. - Amends TCA Section 8-30-108 and Section 8-30-318. by *McCormick, *Dunn. (SB1624 by *Norris, *Johnson)

On motion, House Bill No. 1420 was made to conform with **Senate Bill No. 1624**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 1624 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haynes moved that State Government Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 1624** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, 3365

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Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Sparks, Spivey, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

House Bill No. 2142 -- Housing - As introduced, authorizes home rule municipalities and counties with a metropolitan form of government to participate in the Tennessee Local Land Bank pilot program. - Amends TCA Title 13, Chapter 30, Part 1. by *McCormick. (*SB2315 by *McNally)

Rep. McCormick moved that House Bill No. 2142 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2142 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 13-30-109(10), is amended by deleting subdivision (10) in its entirety.

SECTION _____. Tennessee Code Annotated, Title 13, Chapter 30, Part 1, is amended by adding the following language as a new section:

13-30-120.

Notwithstanding any provision of this chapter to the contrary, a corporation created pursuant to the chapter shall not own, hold, maintain, or manage any real property acquired through eminent domain by any county or municipality of this state.

SECTION _____. Tennessee Code Annotated, Section 13-30-110(e), is amended by deleting the language "Notwithstanding" and by substituting instead the language "Except as provided in § 13-30-120, notwithstanding".

On motion, Local Government Committee Amendment No. 1 was adopted.

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Rep. McCormick moved that **House Bill No. 2142**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 2255** -- Emergency Communications Districts - As introduced, enacts the "911 Funding Modernization and IP Transition Act of 2014". - Amends TCA Title 7, Chapter 86; Section 9-8-307; Title 29, Chapter 20 and Title 65. by *McCormick, *Evans, *McDaniel, *Haynes, *Lundberg, *Swann, *Armstrong, *Coley, *Sargent, *Brooks K, *Watson, *McManus, *Powell, *Moody, *Harrison, *Cooper, *Favors, *Shaw, *Camper, *Casada, *Hawk, *Alexander, *DeBerry J, *Williams K, *Eldridge, *Johnson C, *Keisling, *Williams R, *Forgety, *Spivey, *Faison, *Dunn, *Butt, *Parkinson, *Ramsey, *Wirgau, *Sanderson, *Shipley, *Hall, *Akbari, *Littleton, *Doss, *Powers, *Carr D, *Carter, *Matheny, *Bailey, *Sexton, *Turner M, *Odom, *Dean, *Jernigan, *Marsh, *Calfee, *Matlock, *Rich, *Womick, *White M, *Dennis, *Floyd, *Towns, *Gilmore, *Miller, *Rogers. (SB2407 by *Norris, *Gardenhire, *Kelsey, *Overbey, *Harper, *Crowe, *Gresham, *Dickerson, *Watson, *Bowling, *Niceley, *McNally, *Johnson, *Massey, *Green, *Ketron, *Stevens, *Hensley, *Southerland, *Yager, *Ford, *Henry, *Tate)

Rep. Evans moved that House Bill No. 2255 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2255 by deleting from SECTION 8 in subdivision (d)(2) of the printed bill the language "provided in subdivision (d)(2)" and by substituting instead the language "provided in subdivision (d)(1)".

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Evans moved that **House Bill No. 2255**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94

Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1578 -- Sunset Laws - As introduced, extends the department of safety, June 30, 2016; directs division of state audit to conduct limited audit concerning the department's 2013 audit findings during calendar year 2015. - Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 1 and Title 4, Chapter 3, Part 20. by *Matheny, *Ragan. (*SB1535 by *Bell)

Rep. Matheny moved that House Bill No. 1578 be passed on third and final consideration.

Rep. Ragan moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1578 By deleting Section 2 of the bill and substituting the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-238(a), is amended by adding a new subdivision thereto, as follows:

() Department of safety, created by §§ 4-3-101 and 4-3-2001;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **House Bill No. 1578**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan,

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Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Womick, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

House Bill No. 1595 -- Sunset Laws - As introduced, extends the state procurement commission, June 30, 2015. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 56. by *Matheny, *Ragan. (*SB1558 by *Bell)

Rep. Matheny moved that House Bill No. 1595 be passed on third and final consideration.

Rep. Ragan moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1595 By deleting the language "Section 4-29-236(a)" from the directory language of Section 2 and substituting instead the language "Section 4-29-238(a)"; by renumbering the effective date section as Section 4; and adding the following as a new Section 3:

SECTION 3. The state procurement commission shall appear before the joint government operations subcommittee on judiciary and government no later than December 31, 2014, to update the committee on the status of the issues raised in the commission's 2013 governmental entity review hearing.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **House Bill No. 1595**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

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A motion to reconsider was tabled.

House Bill No. 1596 -- Sunset Laws - As introduced, extends the advisory council on state procurement, June 30, 2015. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 56. by *Matheny, *Ragan. (*SB1524 by *Bell)

Rep. Matheny moved that House Bill No. 1596 be passed on third and final consideration.

Rep. Ragan moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1596 By deleting the language "Section 4-29-236(a)" from the directory language of Section 2 and substituting instead the language "Section 4-29-238(a)"; by renumbering the effective date section as Section 4; and adding the following as a new Section 3:

SECTION 3. The advisory council on state procurement shall appear before the joint government operations subcommittee on judiciary and government no later than December 31, 2014, to update the committee on the status of the issues raised in the council's 2013 governmental entity review hearing.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **House Bill No. 1596**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Resolution No. 190 -- Memorials, Sports - Creek Wood High School girls' basketball team. by *Littleton, *Shepard.

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Further consideration of House Resolution No. 190 previously considered on March 24, 2014, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

Rep. Littleton moved adoption of House Resolution No. 190.

Rep. Littleton moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House No. 190 by deleting the sixth preamble clause and by substituting instead the following:

WHEREAS, the members of the Lady Red Hawks have represented their community in fine fashion, displaying peerless character both on and off the court; and

On motion, Amendment No. 1 was adopted.

Rep. Littleton moved adoption of **House Resolution No. 190**, as amended, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Joint Resolution No. 815** -- Memorials, Recognition - The Honorable Christie Mahn Sell, 2014 Woman of Distinction. by *Floyd.

Further consideration of House Joint Resolution No. 815 previously considered on March 24, 2014, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

Rep. Floyd moved adoption of House Joint Resolution No. 815.

Rep. Floyd moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 815 by deleting the eighth preamble clause and by substituting instead the following:

WHEREAS, the judge greatly enjoys hosting students in court and has donated her time to many activities, which include starting and coaching a cross-country team at her children's school, coaching a new mock trial team, and chairing events for the American Heart Association and the American Lung Association; and

On motion, Amendment No. 1 was adopted.

Rep. Floyd moved adoption of **House Joint Resolution No. 815**, as amended, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 1869 -- Search & Seizure - As introduced, prohibits a law enforcement officer from searching or extracting any data from a cellular telephone unless the officer has obtained a search warrant for the data obtained, and makes any such data illegally obtained inadmissible as evidence in a court or administrative hearing. - Amends TCA Title 40, Chapter 6, Part 1. by *Carter, *Lynn, *Littleton, *Moody, *Hardaway, *Powers. (*SB1757 by *Beavers)

Further consideration of House Bill No. 1869 previously on today's Calendar at which time the House was on consideration of Amendment No. 1.

Rep. Lamberth moved that the House consider Amendment No. 1 to House Bill No. 1869, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis,

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Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Rep. Lamberth moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1869 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 6, Part 1, is amended by adding the following as a new section:

40-6-109.

(a) As used in this section:

(1) "Cellular telephone" means a wireless telephone authorized by the federal communications commission to operate in the frequency bandwidth reserved for cellular radio telephones;

(2) "Cellular telephone data" means any data that is stored in a cellular telephone including telephone numbers, addresses, pictures, documents, texts, videos, music and any other information that is stored in a cellular telephone; and

(3) "Law enforcement officer" means any person authorized to effectuate an arrest who is employed by the state, or a county municipality or metropolitan form of government.

(b) No law enforcement officer shall search, examine, extract or duplicate any cellular telephone data, even if incident to a lawful arrest, unless:

(1) The officer has obtained a search warrant issued pursuant to this part or Rule 41 of the Tennessee rules of criminal procedure;

(2) The owner of the cellular telephone or the person in possession of the cellular telephone at the time it is seized gives the officer informed consent for the officer to search the cellular telephone; or

(3) Exigent circumstances exist at the time of the seizure requiring the officer to search the cellular telephone.

(c) No cellular telephone data that is obtained in violation of this section may be used in any court of law or administrative board as evidence, nor may other evidence that is derived from the illegally obtained data be used as evidence in any such proceeding.

(d) This section shall not apply to any cellular telephone that, at the time of its seizure or discovery, has been abandoned by the owner or person responsible for its abandonment.

SECTION 2 . This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Carter moved that **House Bill No. 1869**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILL RE-REFERRED

Rep. McCormick moved that the following be re-referred from the Finance, Ways & Means Committee to the Government Operations Committee, and that the same be heard in the Government Operations Committee next week: **House Bill No. 2449**, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 1466** to be heard in the Criminal Justice Committee next week.

Without objection it was so ordered.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2120** to be heard in the Agriculture and Natural Resources Committee next week, which motion failed by the following vote:

Ayes 59
Noes..... 30

Representatives voting aye were: Bailey, Brooks H, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, DeBerry J, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Moody, Parkinson, Powers, Ragan, Rich, Roach, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Tidwell, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Madam Speaker Harwell -- 59

Representatives voting no were: Akbari, Alexander, Armstrong, Butt, Dean, Dennis, Favors, Fitzhugh, Haynes, Jernigan, Johnson G, Jones, Love, Lundberg, Miller, Mitchell, Odom, Pitts, Pody, Powell, Ramsey, Rogers, Shaw, Shepard, Stewart, Towns, Turner J, Turner M, Windle, Womick -- 30

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2220** to be heard in the Education Committee next week.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill(s) No(s). 2381** and **1375** to be heard in the Government Operations Committee next week.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. Pody moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 711 out of order which motion prevailed.

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Senate Joint Resolution No. 711 -- Memorials, Recognition - Nashville Local Organizing Committee for the Women's Final Four. by *Massey.

On motion of Rep. Pody, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Matlock moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 706 out of order which motion prevailed.

Senate Joint Resolution No. 706 -- Memorials, Retirement - Dale Hurst. by *McNally.

On motion of Rep. Matlock, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Butt moved that the rules be suspended for the purpose of introducing House Resolution No. 198 out of order which motion prevailed.

House Resolution No. 198 -- Memorials, Recognition - Brittney Danielle Redden, Mule Day Queen 2014. by *Butt, *Shepard.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Butt the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Lundberg moved that the rules be suspended in order to allow **House Bill No. 2120** to be heard in the Criminal Justice Committee next week, which motion failed by the following vote:

Ayes	37
Noes.....	48

Representatives voting aye were: Akbari, Armstrong, Carter, Coley, Cooper, Dean, Dennis, Durham, Fitzhugh, Hardaway, Haynes, Jernigan, Johnson C, Johnson G, Jones, Lamberth, Lundberg, McCormick, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ramsey, Rogers, Sargent, Sexton, Shaw, Shipley, Swann, Tidwell, Towns, Turner J, Turner M, Madam Speaker Harwell -- 37

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Representatives voting no were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, DeBerry J, Doss, Dunn, Eldridge, Favors, Floyd, Goins, Halford, Harrison, Hawk, Hill M, Hill T, Holt, Kane, Keisling, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Moody, Pody, Powers, Ragan, Rich, Roach, Shepard, Sparks, Spivey, Stewart, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick -- 48

ANNOUNCEMENTS

The Clerk announced that the House would begin to regularly meet at 4:00 p.m. Mondays and that the House would resume meeting at 9:00 a.m. on Wednesdays.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on March 31, 2014:

House Bill No. 702: by Rep. M. White

House Bill No. 1742: by Rep. Matheny

House Bill No. 1799: by Rep. Swann

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 2, 2014:

House Bill No. 1523: by Rep. Haynes

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2311** to be heard in the Consumer and Human Resources Committee next week.

Without objection, it was so order.

RULES SUSPENDED

Rep. Fitzhugh moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 663 out of order which motion prevailed.

***Senate Joint Resolution No. 663** -- Memorials, Death - Norman Holland. by *Finney , *Haile.

On motion of Rep. Fitzhugh the resolution was concurred in.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). Womick was/were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 714 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 964 Rep(s). Pitts, Shepard and Hardaway as prime sponsor(s).

House Bill No. 1109 Rep(s). Favors as prime sponsor(s).

House Bill No. 1134 Rep(s). T. Hill as prime sponsor(s).

House Bill No. 1138 Rep(s). Sexton and Eldridge as prime sponsor(s).

House Bill No. 1242 Rep(s). Eldridge and Hardaway as prime sponsor(s).

House Bill No. 1375 Rep(s). Jernigan, Odom, Fitzhugh, Windle, Armstrong and Akbari as prime sponsor(s).

House Bill No. 1381 Rep(s). Akbari as prime sponsor(s).

House Bill No. 1386 Rep(s). Halford, Roach and Haynes as prime sponsor(s).

House Bill No. 1399 Rep(s). Sexton, Eldridge and Lamberth as prime sponsor(s).

House Bill No. 1507 Rep(s). Dean as prime sponsor(s).

House Bill No. 1526 Rep(s). Ragan, H. Brooks, Swann, Eldridge, Sargent, Littleton, Butt, Marsh, M. White, Powers, Armstrong, Ramsey, Faison, Towns, Halford, Dean, Roach, Lynn, Weaver, Mitchell, Rogers, Moody, McManus, Travis, Holt, K. Brooks, G. Johnson, Powell, McCormick, R. Williams and Coley as prime sponsor(s).

House Bill No. 1527 Rep(s). Ragan, H. Brooks, Swann, Eldridge, Littleton, Butt, K. Brooks, Marsh, Powers, Armstrong, Sargent, Ramsey, Casada, Faison, Towns, M. White, R. Williams, Powell, Moody, Lynn, Roach, Dean, C. Johnson, McCormick, Halford, Coley, Rogers, Weaver, McManus, Holt, Travis, G. Johnson, Mitchell and Hardaway as prime sponsor(s).

House Bill No. 1574 Rep(s). Watson as prime sponsor(s).

House Bill No. 1687 Rep(s). Sparks as prime sponsor(s).

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House Bill No. 1735 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 1774 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1860 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1926 Rep(s). Miller, D. Carr, Durham, Hall, Floyd as prime sponsor(s).

House Bill No. 1989 Rep(s). Powell as prime sponsor(s).

House Bill No. 2087 Rep(s). Goins as prime sponsor(s).

House Bill No. 2139 Rep(s). Favors as prime sponsor(s).

House Bill No. 2142 Rep(s). Favors and Ragan as prime sponsor(s).

House Bill No. 2155 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2221 Rep(s). Shaw as prime sponsor(s).

House Bill No. 2356 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2445 Rep(s). Hardaway, Sexton and Bailey as prime sponsor(s).

House Bill No. 2514 Rep(s). Hardaway as prime sponsor(s).

**ENGROSSED BILLS
March 27, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No(s). 850;

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 706; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 706 -- Memorials, Retirement - Dale Hurst. by *McNally.

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 711; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 711 -- Memorials, Recognition - Nashville Local Organizing Committee for the Women's Final Four. by *Massey.

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 708; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 708 -- Memorials, Academic Achievement - Phillip Michael Byrd, Valedictorian, Westmoreland High School. by *Haile.

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 417; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 417 -- Teachers, Principals and School Personnel - As introduced, limits duration that a tenured teacher may be suspended pending investigation to 30 days only if the matter investigated is not the subject of an ongoing criminal investigation or a DHS investigation. - Amends TCA Title 49, Chapter 5, Part 5. by *Crowe. (*HB91 by *Eldridge)

**MESSAGE FROM THE SENATE
March 27, 2015**

MADAM SPEAKER: With honor and great pleasure, I am transmitting to the House, the Senate Committee on Calendar's second Report on Qualified Annual Events pursuant to Tennessee Charitable Gaming Implementation Law and Article XI, Section 5 of the Constitution of Tennessee. On the morning of Thursday, March 27th, 2014, the Senate's first transaction of business was the adoption of this report, 28-0-1, and made the action of the Senate. The Senate anxiously awaits notification you have taken similar action.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 850; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
March 27, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1714;

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
March 27, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No(s). 850; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: House Joint Resolution No(s). 850.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1931, 2119, 2389 and 2498; and House Joint Resolution No(s). 850; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 220, 1446, 1503, 1613, 1627, 1687, 1713, 1714, 1748, 1771, 1830, 1845, 1971, 2052 and 2129; and Senate Joint Resolution No(s). 60; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 27, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1931, 2119, 2389 and 2498; also House Joint Resolution No(s). 850; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 220, 1446, 1503, 1613, 1627, 1687, 1713, 1714, 1748, 1771, 1830, 1845, 1971, 2052 and 2129. and Senate Joint Resolution No(s). 60.

JOE McCORD, Chief Clerk

**ENGROSSED BILLS
March 27, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1578;

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 663; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 663** -- Memorials, Death - Norman Holland. by *Finney , *Haile.

**MESSAGE FROM THE GOVERNOR
March 27, 2014**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No(s). 850; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 663 and 711; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

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**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 663 and 711.

JOE McCORD, Chief Clerk

**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: House Bill(s) No(s). 1547, 1575, 1589, 1642, 1740, 1957, 1968 and 2405.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 706; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: Senate Joint Resolution No(s). 706.

JOE McCORD, Chief Clerk

**ENROLLED BILLS
March 27, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 190, 193 and 198; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 190, 193 and 198.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**THURSDAY, MARCH 27, 2014 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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March 27, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2270; The Senate nonconcurred in House Amendment No(s). 1

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

March 27, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1179, 1441, 1595, 1596, 1869, 2035, 2142, 2208, 2255, 2264 and 2489; also House Joint Resolution(s) No(s). 815, 842, 843, 844, 845 and 846.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 27, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 773; amended and concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 27, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 790, 792, 793, 794, 795, 796, 798, 799, 800 and 831; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 27, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1922, 2183, 2477, 2483, 2504 and 2511; substituted for Senate bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 27, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 665, 666, 667, 669, 670, 671, 672, 674, 675, 676, 677, 678, 679, 680, 681 and 682; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

THURSDAY, MARCH 27, 2014 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 665 -- Memorials, Academic Achievement - Samantha Stone, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 666 -- Memorials, Academic Achievement - Jacob Baker, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 667 -- Memorials, Academic Achievement - Alexander Morgan Byrd, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 669 -- Memorials, Academic Achievement - James Kaleb Anderson, Salutatorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 670 -- Memorials, Academic Achievement - Sierra Cothron, Salutatorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 671 -- Memorials, Academic Achievement - Dana Lynn Morris, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 672 -- Memorials, Death - Donald Thomas "Duck" Wicks. by *Yager.

Senate Joint Resolution No. 674 -- Memorials, Personal Achievement - Nolan "Dude" Northcutt, 100th birthday. by *Beavers.

Senate Joint Resolution No. 675 -- Memorials, Academic Achievement - Jacqueline A. Pulliam, Salutatorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 676 -- Memorials, Sports - Elizabethton High School, Class AA girls basketball state champions. by *Crowe.

Senate Joint Resolution No. 677 -- Memorials, Academic Achievement - Adam Neal, Valedictorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 678 -- Memorials, Professional Achievement - Bob's Body Shop, 55th Anniversary. by *Burks.

Senate Joint Resolution No. 679 -- Memorials, Death - Donald M. Elkins. by *Burks.

Senate Joint Resolution No. 680 -- Memorials, Death - Dr. Nat T. Winston, Jr. by *Dickerson, *Henry.

Senate Joint Resolution No. 681 -- Memorials, Retirement - Donald Neal Day. by *Haile.

Senate Joint Resolution No. 682 -- Memorials, Death - Warren Douglas Haun. by *McNally.

**MESSAGE FROM THE SENATE
March 27, 2014**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

THURSDAY, MARCH 27, 2014 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 96, 1358, 1481, 1495, 1699, 1778, 1808, 1904, 1905, 1940, 2073, 2243, 2246, 2350, 2370 and 2516; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 96** -- Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits property insurance companies from using customer inquiries as reasons to nonrenew or cancel the policy; creates property insurance guidelines for cancellation and nonrenewal. - Amends TCA Title 56 and Title 66. by *Finney , *Ford. (HB94 by *Stewart)

Senate Bill No. 1358 -- Education - As introduced, requires all driver education courses to instruct students of the dangers and criminal penalties for texting while driving. - Amends TCA Title 49. by *Johnson, *Gardenhire. (*HB1285 by *McManus, *Matlock, *Hall, *Brooks K, *DeBerry J, *Shipley, *Johnson C, *Powers, *Rogers, *Casada, *Lynn, *Durham, *Lundberg, *Dennis, *Floyd, *Sparks, *Sargent, *Matheny, *Goins, *Carr J, *Spivey, *Pody, *Butt, *Evans)

***Senate Bill No. 1481** -- Securities - As introduced, creates the "Invest Tennessee Exemption" permitting the intra-state sale of securities totaling less than \$1 million. - Amends TCA Title 48. by *Kelsey, *Finney , *Overbey. (HB1684 by *Durham, *Fitzhugh)

***Senate Bill No. 1495** -- State Symbols - As introduced, designates dogs and cats that are adopted from Tennessee animal shelters as the official state pet. - Amends TCA Title 4, Chapter 1, Part 3. by *Campfield, *Ford, *Kyle, *Summerville. (HB1406 by *Dunn)

***Senate Bill No. 1699** -- Welfare - As introduced, requires owners and operators of automated teller machines to disable their machines from accepting electronic benefit transfer cards in locations of certain kinds of businesses. - Amends TCA Title 71. by *Campfield. (HB1538 by *Weaver, *Butt, *Doss, *Shipley, *Halford, *Keisling, *Lynn, *Rogers, *Moody, *White M)

Senate Bill No. 1778 -- Lottery, Scholarships and Programs - As introduced, allows a Tennessee student graduating from an out-of-state boarding school that is accredited by a member of the National Association of Independent Schools Commission on Accreditation to be eligible for Tennessee HOPE lottery scholarship, if the student meets all other applicable requirements for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by *Crowe. (*HB1500 by *Lundberg)

***Senate Bill No. 1808** -- Employees, Employers - As introduced, creates the "Employee Online Privacy Act of 2014" which prevents an employer from requiring an employee to disclose the username and password for the employee's personal internet account except under certain circumstances. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 18; Title 49 and Title 50. by *Niceley. (HB1852 by *Roach, *Faison)

***Senate Bill No. 1904** -- Drugs, Over the Counter - As introduced, authorizes pharmacists to submit data entry error corrections concerning errors in the submission of purchases of immediate methamphetamine precursor to the NPLeX and prohibits stop sale orders with respect to cases where the correction applies. - Amends TCA Section 39-17-431 and Title 53, Chapter 10. by *Haile. (HB1858 by *Spivey)

THURSDAY, MARCH 27, 2014 – FIFTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 1905** -- Lottery, Scholarships and Programs - As introduced, allows students who would have qualified for the STEP UP scholarship, if the scholarship had been in effect in 2012-2013, to receive the scholarship as second year students in 2013-2014; provided the students meet the continuation requirements for the scholarship at the end of their first year of study. - Amends TCA Section 49-4-943. by *Overbey, *Finney . (HB1876 by *Ramsey)

***Senate Bill No. 1940** -- Education, Curriculum - As introduced, requires every LEA required to provide family life curriculum to provide the department of education and the state board of education with a list of the specific curriculum used to teach the family life curriculum; requires the report to include the contact information of every individual, non-LEA employee or organization authorized to teach the family life curriculum. - Amends TCA Title 49, Chapter 6, Part 13. by *Johnson. (HB1871 by *Coley, *Williams R)

***Senate Bill No. 2073** -- Local Education Agencies - As introduced, defines as confidential, information relative to school safety plans; provides that meetings involving school safety plans are not subject to the open meetings laws. - Amends TCA Title 8; Title 10 and Title 49. by *Haile. (HB2217 by *Weaver, *Dunn, *Brooks H, *White D, *Moody, *Kane)

***Senate Bill No. 2243** -- Highways, Roads and Bridges - As introduced, directs the department of transportation to study the feasibility and cost of making crosswalks, as well as public transportation, more accessible for the sight-impaired. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 54; Title 64 and Title 67. by *Tracy, *McNally. (HB2156 by *Durham, *Dean, *Sparks)

Senate Bill No. 2246 -- Education - As introduced, requires schools and LEAs to encourage various measures to limit students' exposure to harmful substances while at school. - Amends TCA Title 49. by *Hensley. (*HB2049 by *Gilmore, *DeBerry J, *Casada, *Shepard)

***Senate Bill No. 2350** -- Law Enforcement - As introduced, permits electronic citations for certain traffic offenses; authorizes court clerks to charge a \$5.00 electronic citation fee for each citation resulting in conviction; splits fee between the court clerk and law enforcement agency. - Amends TCA Title 55, Chapter 10, Part 2. by *Ketron. (HB2368 by *Watson, *Dean, *Camper, *Littleton, *Ramsey)

***Senate Bill No. 2370** -- Teachers, Principals and School Personnel - As introduced, specifies that the provisions regarding suspensions imposed by the director of schools for three days or less apply to suspensions of teachers. - Amends TCA Title 49. by *Tate. (HB2125 by *Pitts)

Senate Bill No. 2516 -- Insurance Companies, Agents, Brokers, Policies - As introduced, enacts the "Unclaimed Life Insurance Benefits Act". - Amends TCA Title 56; Title 62 and Title 66. by *Ketron. (*HB2427 by *Sargent)

**ENROLLED BILLS
March 27, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1922, 2183, 2483, 2477, 2504 and 2511; also House Joint Resolution(s) No(s). 790, 792, 793, 794, 795, 796, 798, 799, 800 and 831; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
March 27, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 790, 792, 793, 794, 795, 796, 798, 799, 800 and 831.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 27, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 937; The Senate lifted from the table the motion to reconsider and moved to reconsider House Bill(s) No(s). 937. The Senate reconsidered Senate Amendment(s) No(s). 8 and moved it to the table. The Senate passed House Bill(s) No(s). 937.

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams R, Windle, Madam Speaker Harwell -- 89

RECESS

On motion of Rep. McCormick the House stood in recess until 4:00 p.m., Monday, March 31, 2014.